

Atty. Dkt. No. 999999-0043

REMARKS

This reply is in response to the Non-Final Office Action mailed on June 28, 2006 in which Claims 1-23 were rejected. With this response, Claims 1, 18-20 and 22 are amended to correct inadvertent typographical errors. Claims 1-23 overcome the rejections and are presented for reconsideration and allowance.

I. Rejection of claims 1-23 under 35 USC 102(e) based upon Fuchs

The Office Action rejected claims 1-23 under 35 USC 102(e) as being anticipated by Fuchs US Patent Publication 2004/0019542. Claims 1-23 overcome the rejection based upon Fuchs.

A declaration under 37 CFR 1.131 is filed herewith, establishing the invention of the subject matter of claims 1-23 prior to July 26, 2002, 35 USC 102 (e) filing date of Fuchs. As evidenced in the declaration, the invention of claims 1-23 was reduced to practice prior to July 26, 2002. Accordingly, Applicant respectfully requests that the rejection of such claims based upon Fuchs be withdrawn.

II. Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-3815. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

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entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-3815. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-3815.

Respectfully submitted,

Date Sept. 28, 2006By Todd A. Rathe

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